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January 15, 2013

**Via Electronic Submission**

*Ex parte*

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Portals II, Room TW-A325  
Washington, DC 20554

Re: Special Access Rates for Price Cap Local Exchange Carriers,  
WC Docket No. 05-25

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Dear Ms. Dortch:

On January 11, 2013, Robert Barber, Frank Simone and the undersigned of AT&T met with Elizabeth McIntyre, Jamie Susskind, Ken Lynch, Jon Reel, Eric Ralph and William Layton to address technical issues concerning certain items contained in the initial version of the Commission's special access data collection.<sup>1</sup> The discussion primarily centered on Section I, including the draft definitions of Connections, Indefeasible Right of Use (IRU) and Circuit-based Dedicated Services (CBDS).

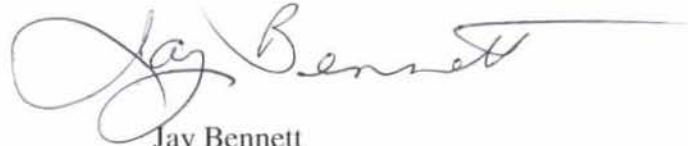
AT&T urged the Commission to make clear that the definition of Connections include both facilities that are in-service and facilities that are in-place but not in-service, so as to capture data on potential competition. AT&T also noted that the draft definition of IRUs could be read to potentially exclude contracts that otherwise should be reported, including some with a duration of less than 10 years or with an up-front payment of less than 25%. AT&T discussed possible revisions to the definition to ensure that all relevant IRUs are fully reported, including deleting all language after the first sentence. AT&T also noted a potential issue with the placement of SONET and OCN data in the definition of CBDS, especially in view of the wording of several of the draft data requests that refer to packet-based dedicated services (PBDS), rather than the defined term CBDS. Finally, AT&T suggested revising draft Question F.8 to have respondents identify specific contract provisions that they "contend" are onerous as compared with typical contract language, and further have them explain the basis any such contention.

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<sup>1</sup> Appendix A of the Commission's Report and Order and Further Notice of Proposed Rulemaking in Docket 05-25, released December 18, 2012

Pursuant to Section 1.1206 of the Commission's rules, this ex parte notice is being filed electronically for inclusion in the record of the above-referenced proceeding. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, reading "Jay Bennett". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Jay Bennett  
AVP Federal Regulatory

cc: E. McIntyre  
J. Susskind  
K. Lynch  
J. Reel  
E. Ralph  
W. Layton